

1 **WO**

2
3
4
5 UNITED STATES DISTRICT COURT
6 DISTRICT OF ARIZONA
7

8 United States of America,

9 Plaintiff,

10 v.

11 Christian Aguilar-Chavez,

12 Defendant.
13

MAGISTRATE NO. 08-0181M

Order Re: Extending Time to Indict

14 HAVING considered Defendant's Motion to Extend Time and good cause having been
15 shown;

16 THE COURT makes the following findings:

- 17 1. Counsel for defendant has only recently been appointed;
18 2. The defendant wishes to investigate possible defenses prior to considering the
19 government's plea offer;
20 3. The government's has offered a plea agreement which will be lost if not accepted before
21 the defendant is indicted.
22 4. If the defendant is indicted on this matter the offer if any shall likely be less
23 advantageous to the defendant;
24 5. Failure to extend time for indictment in this instance would thus operate to bar defendant
25 from reviewing the government's pre indictment plea offer when extended.
26 6. The ends of justice served by this continuance outweigh the best interest of the public
27 and the defendant in a speedy indictment.

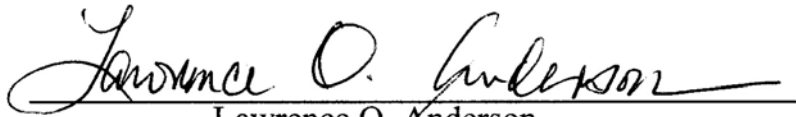
28 The Court therefore concludes that the ends of justice are best served by
granting an extension of time to present the case to the grand jury and in excluding a period
of thirty (30) days under the Speedy Trial Act. In making this determination, the Court has

1 particularly taken into account that the failure to grant the Defendant's request "would deny
2 counsel for the defendant . . . the reasonable time necessary for effective preparation, taking
3 into account the exercise of due diligence." 18 U.S.C. § 3161(h)(8)(B)(iv).

4 **IT IS HEREBY ORDERED** that defendant's Motion to Extend Time for
5 Indictment requesting an extension of thirty (30) days within the government may seek to
6 indict defendant, is hereby granted.

7 **IT IS FURTHER ORDERED** that pursuant to the Speedy Trial Act, 18
8 U.S.C. § 3161, the Government shall have an extension of thirty (30) days to file a timely
9 Indictment. Excludable time shall begin to run on the 31st day after arrest for a period of
10 thirty (30) days in which the Government may present the case to the grand jury.

11 DATED this 30th day of May, 2008.

12 
13 Lawrence O. Anderson
14 United States Magistrate Judge
15
16
17
18
19
20
21
22
23
24
25
26
27
28